

## SELECT BOARD

Minutes of the Meeting of March 27, 2019. The meeting took place in the Public Safety Facility Community Room, 4 Fairgrounds Road, Nantucket, MA 02554. Members of the Board present were Jason Bridges, Matt Fee, Rita Higgins, Dawn Hill Holdgate and James R. Kelly.

### I. CALL TO ORDER

Chair Bridges called the meeting to order at 6:06 PM following a meeting of the County Commission.

### II. SELECT BOARD ACCEPTANCE OF AGENDA

Chair Bridges noted item X. 1 will be moved up on the agenda and item IX. 1. will be continued to April 24, 2019. The agenda was accepted with these changes.

### III. ANNOUNCEMENTS

1. Town Manager C. Elizabeth Gibson announced that the Select Board meeting is being video/audio recorded in accordance with the Open Meeting Law.

2. Ms. Gibson announced that vacancies for boards, committees and commissions for 2019 are posted on the Town website for those interested in government involvement. She noted three new committees: Cannabis Advisory Committee, Parking Benefit District Commission and Coastal Resiliency Work Group.

3. Ms. Gibson announced there will be a 2019 Annual Town Meeting public information session on March 28, 2019 from 4:30 PM to 5:30 PM in the PSF Training Room. She noted this is a drop-in session for the public to informally discuss town meeting warrant articles with staff.

4. Ms. Gibson said a Municipal Vulnerability Preparedness (MVP) Planning for Climate Change public meeting will be held on March 28, 2019 at 5:30 PM in the PSF Community Room.

### IV. PUBLIC COMMENT

1. Ginger Andrews, shareholder and vice president of the Pacific Club, read a prepared statement to the Board (attached) regarding concerns over the recent sidewalk reconstruction project at the Pacific Club and planned sidewalk reconstruction on Upper Main Street.

2. Sewer Director David Gray gave an update on the road reclamation work that is part of the Nantucket Harbor Shimmo/Plus Parcels sewer extension project.

3. Kristie Ferrantella of the Nantucket Chamber of Commerce noted the Chamber is hosting a "lunch and learn" at the Handlebar Café tomorrow regarding 2019 Annual Town Meeting warrant articles.

### V. NEW BUSINESS

None.

### VI. APPROVAL OF MINUTES, WARRANTS AND PENDING CONTRACTS

1. Approval of Payroll Warrants for Week of March 24, 2019. Ms. Hill Holdgate moved to approve payroll warrants for the week of March 24, 2019; Ms. Higgins seconded. All in favor, so voted.

2. Approval of Treasury Warrants for March 27, 2019. Ms. Hill Holdgate moved to approve the treasury warrants for March 27, 2019; Ms. Higgins seconded. All in favor, so voted.

3. Approval of Pending Contracts for March 27, 2019 - as Set Forth on the Spreadsheet Identified as Exhibit 1, Which Exhibit is Incorporated Herein by Reference. Ms. Hill Holdgate moved to approve the pending contracts for March 20, 2019; Mr. Kelly seconded. All in favor, so voted.

#### VII. CONSENT ITEMS

Planning Office: Request for Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcel Known as Parcel C, School Street as Shown on Plan of Land Entitled "Roadway Acquisition Plan in Nantucket, Mass. Of a Portion of Unconstructed 'School Street'," Dated June 13, 2018, Prepared by Bracken Engineering, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2018-56, Pursuant to Vote on Article 77 of 2010 Annual Town Meeting. Ms. Hill Holdgate recused herself from this matter. Ms. Higgins moved to approve this matter as presented; Mr. Fee seconded. So voted 4-0.

2. Planning Office: Request for Execution of Purchase and Sale Agreement, Quitclaim Deed and Settlement for Town-owned Yard Sale Parcel Known as Lot A, Beach Plum Avenue as Shown on Plan of Land Entitled "taking and Disposition Plan of Land in Nantucket, MA Prepared for Michele Perry," Dated January 3, 2017 , Prepared by Blackwell %& Associates, Inc. and Recorded with Nantucket County Registry of Deeds as Plan 2017-14, Pursuant to Vote on Article 97 of 2014 Annual Town Meeting. Ms. Hill Holdgate recused herself from this matter. Ms. Higgins moved to approve this matter as presented; Mr. Fee seconded. So voted 4-0.

3. Planning Office: Request for Execution of Quitclaim Deed and Settlement Statement for Town-owned Yard Sale Parcels Known as Parcels B and C, Dartmouth Lane as Shown on Plan of Land Entitled "Roadway Acquisition Plan in Nantucket, Mass. Of Dartmouth Lane," Dated December 3, 2015, Prepared by Bracken Engineering, Inc. and Filed as Land Court Plan No. 13199-25 with the Nantucket Registry District of the Land Court, Pursuant to Vote on Article 97 of 2014 Annual Town Meeting. Ms. Hill Holdgate recused herself from this matter. Ms. Higgins moved to approve this matter as presented; Mr. Fee seconded. So voted 4-0.

#### X. TOWN MANAGER'S REPORT

1. Update on Project Cost for Article 13 of 2019 Annual Town Meeting (Town Pier Renovation). Director of Municipal Finance Brian Turbitt reviewed recent bids received for the renovation of the Town Pier. Due to technical and responsiveness issues, he recommended that the Board reject all bids. Mr. Turbitt answered questions from Board members. Mr. Fee said he'd rather see the renovation done correctly, adding he is fine with the project taking longer to rebid. Mr. Turbitt noted that the schedule for renovations should be able to stay intact.

#### VIII. CITIZEN/DEPARTMENTAL REQUESTS

1. Nantucket Affordable Housing Trust (AHT): Strategic Plan Presentation. Housing Specialist Tucker Holland noted that Judy Barrett of Barrett Planning Group is present, as well as all AHT members. He reviewed the AHT's mission, noted that any expenditures of \$100,000 or more require Select Board approval, its history and certain statistics. Ms. Barrett reviewed the AHT strategic planning process, stating it is a five-year plan to guide the AHT's efforts. She reviewed the plan framework, components/assessments, the organization and its needs. AHT vice chair Brooke Mohr reviewed the AHT's actions since the strategic plan concluded including evaluating the fire station property; evaluating the Nantucket Inn; funding activity including a \$5 million Community Preservation Committee bond proposal

and "Neighborhood First" (Tobias Glidden's Article 37 of the 2019 Annual Town Meeting); contracting with Nantucket Data Platform; understanding the Request for Information/Request for Proposals process with Finance/Procurement; and exploration of a community land trust model. Ms. Mohr reviewed next steps including education in advance of town meeting; continued refinement of an implementation plan if Mr. Glidden's article is adopted; and the need for expanded staff and support. Ms. Higgins reviewed her experience as the Board's representative to the AHT this past year. Chair Bridges applauded the AHT for the work it has done. Mr. Fee said this is a good first step. Some discussion followed on how to use zoning to encourage people to develop affordable housing. Mr. Kelly said he feels the AHT has moved from a reactive board to a proactive board which is a good sign of growth. Mr. Holland thanked the Board on behalf of the AHT for its support.

2. Appointments: Roads and Right of Way Committee; Harbor and Shellfish Advisory Committee. Mr. Fee moved to appoint Bill Grieder to fill a vacant seat on the Roads and Right of Way Committee, for a term to expire June 30, 2019; Mr. Kelly seconded. All in favor, so voted. Ms. Higgins moved to appoint David Fronzuto to fill a vacancy on the Harbor and Shellfish Advisory Committee, for a term to expire at the 2020 Annual Town Election; seconded by Mr. Kelly. All in favor, so voted.

3. Planning Office: Request for Acceptance of Deed and Execution of Interim Occupancy Agreement and Escrow Agreement with Nantucket Island School of Design and the Arts, Inc. (NISDA) for Portion of a Parcel of Land Known as 71 Washington Street, Shown as Lot 5 on Plan of Land Entitled "Plan of Land in Nantucket MA.," Dated November 30, 2017, Prepared by Michael Connolly & Associates, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2018-12, Pursuant to Section 3.3 of the Nantucket Town Charter. Director of Planning Andrew Vorce thanked NISDA for working with the Town on this land transaction. Ms. Gibson noted that shoulder widening work will not occur until at least the fall of 2019. Ms. Higgins moved to accept the deed and execute the Interim Occupancy Agreement and Escrow Agreement as presented; Ms. Hill Holdgate seconded. All in favor, so voted.

4. Real Estate Acquisitions and Conveyances with the Madaket Land Trust: a) Execution of Memorandum of Agreement with Madaket Land Trust for Land Exchange; b) Acceptance of Quitclaim Deed from Madaket Land Trust for Three Parcels of Land Known as 3 Chicago Street, Shown on Plan of Land Entitled "Land in Nantucket," Dated March 12, 1946, Prepared by C. B. Humphrey, Engineer for the Court as "John D. Baldwin" on Land Court Plan No. 3092-5; 5 Chicago Street, Shown on Plan of Land Entitled "Subdivision Plan of Land in Nantucket," Dated November 23, 1973, Prepared by Essex Survey Service, Inc., Robert W. Bowman, Surveyor as Lot 599 on Land Court Plan No. 3092-46; and a Parcel of Vacant Land Situate on Macy Road, Shown on Plan of Land Entitled "Perimeter Plan of Land in Nantucket MA. Macy Road (Nantucket County) Map 60, Parcel 143," Dated June 13, 2017, Revised September 18, 2017, Prepared by Joseph Marcklinger & Associates, Inc. as Lot 898 on Land Court Plan No. 3092-121, Pursuant to Section 3.3 of the Nantucket Town Charter; c) Execution of Quitclaim Deed to Madaket Land Trust for Parcel of Land Known as 3 Baltimore Street, Shown on Plan of Land Entitled "Subdivision Plan of Land in Nantucket," Dated December 20, 1976, Prepared by Essex Survey Service, Inc. Surveyor as Lot 695 on Land Court Plan No. 3092-67, Pursuant to Votes on Articles 88 and 101 of 2015 Annual Town Meeting and Chapter 165 of the Acts of 2016. Mr. Vorce reviewed land exchange with the Madaket Land Trust. Ms. Hill Holdgate moved to approve all transactions with the Madaket Land Trust as presented; Ms. Higgins seconded. All in favor, so voted.

## IX. PUBLIC HEARINGS

1. Public Hearing to Consider the Taking of Portions of Lincoln Avenue Shown as Parcels 1 - 6 on Plan of Land Entitled "Acquisition Plan for Portion of Record Location of Lincoln Avenue, Clifton Springs – Nantucket, MA. Pursuant to Article 81 – Annual Town Meeting 2018," Dated June 29, 2018, Prepared by Earle & Sullivan, Inc. and Filed with Nantucket County Registry of Deeds as Plan No. 2018-72 as Authorized by MGL Chapter 79 and Article 81 of 2018 Annual Town Meeting, for Public Access, Open Space, Recreational Use Purposes and/or General Municipal Purposes (Continued from February 20, 2019). Chair Bridges re-opened the public hearing. Ms. Hill Holdgate moved to continue the public hearing to April 24; 2019; seconded by Mr. Kelly. All in favor, so voted.

2. Public Hearing to Consider the Taking of Roadway Parcels and/or Portions of Paper Streets for Public Access, Public Safety, Sewer, Open Space, Recreational Use Purposes, Affordable Housing Purposes and/or General Municipal Purposes and for the Purpose of Conveyance of the Fee Title or Lesser Interests, Together with any Public and Private Rights of Passage, as Authorized by MGL Chapter 79 and the Following Town Meeting Votes: a) Portions of Nancy Ann Lane Shown as Lot A on Plan of Land Entitled "Taking Plan of Roadway in Nantucket, Mass.," Dated April 27, 2017, Prepared by Hayes Engineering, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2017-64, Pursuant to Vote on Article 95 of 2017 Annual Town Meeting; and, Portions of Mayflower Circle and Daffodil Lane Shown as Lots A and B on Plan of Land Entitled :Taking Plan of Roadway in Nantucket, Mass.," Dated April 26, 2017, Prepared by Hays Engineering, Inc. and Recorded with Nantucket County Registry of Deeds as Plan No. 2017-65, Pursuant to Vote on Article 97 of 2017 Annual Town Meeting; b) Portions of Unnamed Way off Miller Lane Shown on Plan of Land Entitled "Subdivision Plan of Land in Nantucket," Dated May 1955, Prepared by Schofield Brothers, Civil Engineers and Filed with Nantucket Registry District of the Land Court as Land Court Plan No. 16514-G, Sheet 2, Pursuant to Vote on Article 96 of 2014 Annual Town Meeting. Chair Bridges opened the public hearing. Operations Administrator Erika Mooney reviewed this matter, noting these takings were previously approved at the January 30, 2019 meeting; however, the takings were not recorded and the taking documents have become stale and require a re-vote. Chair Bridges closed the public hearing. Ms. Hill Holdgate read a prepared motion from Town Counsel (attached); Ms. Higgins seconded. All in Favor, so voted.

3. Public Hearing to Consider the Taking of Permanent Sewer Easement Over, In, Under, Along and Through Portions of Private Way Known as Chatham Road, Shown on Plan of Land Entitled "Sewer Easement Plans for: Chatham Road, Nantucket, Mass. 02554," Dated August 1, 2018, Revised February 22, 2019, Prepared by Blackwell & Associates, Inc., and Recorded with Nantucket County Registry of Deeds as Plan No. 2019-6, Being Part of the Nantucket Harbor Shimmo/Plus Parcels Sewer Project as Authorized by MGL Chapter 79, Chapter 396 of the Acts of 2008 and Vote on Article 18 of 2016 Annual Town Meeting. Chair Bridges opened the public hearing. Mr. Vorce reviewed the taking. There was no public comment. Chair Bridges closed the public hearing. Mr. Fee moved to approve the taking as presented; Ms. Hill Holdgate seconded. All in favor, so voted.

## X. TOWN MANAGER'S REPORT

1. Update on Project Cost for Article 13 of 2019 Annual Town Meeting (Town Pier Renovation). It was noted that Mr. Turbitt previously explained this matter earlier on the agenda. Ms. Gibson noted there is a stakeholders meeting tomorrow regarding the Town Pier renovation project. She commended Public Outreach Coordinator Florencia Rullo on her outreach efforts regarding 2019 Annual Town Meeting.

2. Town Government Study Committee Update. Town Government Study Committee chairman John Brescher gave a brief update on the work the committee has been doing and reviewed two informational handouts the committee has prepared for the 2019 Annual Town Meeting.

3. Spring Road Work Review. Ms. Mooney reviewed various road construction projects that are scheduled for this spring along with a map showing the locations. Work includes road widening, installation of turning lanes and road medians at the Richmond property on Old South Road; Mass DOT's Milestone Road project to reconstruct intersections at Monomoy Road and Tom Nevers Road and installation of bus pull-offs and milling the center of the road; road reclaiming and paving of various roads as part of the Nantucket Harbor Shimmo/Plus Parcels Sewer Project; a water, sewer and drainage project in the North Liberty Street area; DPW sidewalk improvements along Easy Street, Judith Chase Lane and Washington Street from Coffin Street to the Town Pier parking lot. Mr. Fee voiced concern regarding Judith Chase Lane and other sidewalk improvement projects, noting he feels additional review is needed. Ms. Gibson noted discussion of DPW sidewalk improvements is on the Board's April 10, 2019 agenda. DPW Director Robert McNeil said the process for Judith Chase Lane involves resetting the sidewalk to set up for reclaiming/repaving of the road. Mr. Fee said he is thankful for some of the work but feels the Town overstepped its bounds with the sidewalk work done in front of the Pacific Club; he added that even if the HDC doesn't have jurisdiction it should have a voice and the Town should be a leader in preservation. Ms. Hill Holdgate encouraged the HDC to establish guidelines and best practices for the Town to follow.

4. Utility Petition Roadwork Requirements Update. Ms. Gibson noted that at last week's Board meeting, the Board expressed concerns regarding the DPW roadwork requirements in connection with utility work. Mr. McNeil explained that it is with "and eye toward safety" that he is now requiring additional measures in connection with utility work. He added that is a standard off-island practice and will last longer and result in a better repair of the road.

#### XI. SELECT BOARD'S REPORTS/COMMENT

1. Chair Bridges thanked the DPW for the new Annual Town Meeting sign on Main Street, as well as Ms. Rullo for her social media outreach. He also noted this is Mr. Kelly's last meeting and thanked him for his service and leadership with the Board's strategic plan. Mr. Kelly offered farewell comments. Ms. Hill Holdgate reported that she attended a Nantucket Association of Real Estate Broker's continuing education seminar regarding Smart Growth sponsored by Mr. Vorce, Deputy Director of Planning Leslie Snell and Building Commissioner Paul Murphy. Mr. Fee announced the Finance Committee changed its vote on a 2019 Annual Town Meeting citizen article pertaining to bicycles and hopes it will be supported at Town Meeting.

#### XII. ADJOURNMENT

The meeting was unanimously adjourned at 7:30 PM.

Approved the 22<sup>nd</sup> day of May, 2019.

**SELECT BOARD**  
**MARCH 27, 2019 – 6:00 PM**  
**PUBLIC SAFETY FACILITY COMMUNITY ROOM**  
**4 FAIRGROUNDS ROAD**  
**NANTUCKET, MASSACHUSETTS**

List of documents used at the meeting:

- III. 2. 2019 committee appointment timeline; committee openings information
- III. 3. 2019 Annual Town Meeting information session announcement
- III. 4. MVP listening session announcement
- IV. 1. Ginger Andrews prepared statement
- VI. 3. Pending contracts for March 27, 2019
- VII., VIII., IX. REAC and PLUS staff real estate reports
- VII. 1. Parcel C. School St deed; survey plan
- VII. 2. Lot A, Beach Plum Ave deed; survey plan
- VII. 3. Parcels B & C, Dartmouth Ln deed; survey plan
- VIII. 1. Affordable Housing Trust (AHT) strategic plan update presentation; AHT Strategic Plan dated February 2019
- VIII. 2. Roads & Right of Way Committee membership/applicant list; Bill Grieder application to R&ROW; Harbor & Shellfish Advisory Board vacancy info/membership; Chapter 270 of the Acts of 1979; Bill Blount resignation; David Fronzuto application to SHAB; letter from SHAB
- VIII. 3. Deed from NISDA for Lot 5, 71 Washington St; easement plan; Interim Occupancy Agreement; Escrow Agreement; Acceptance of deed; survey plan
- VIII. 4. Term sheet for land exchange between Town and Madaket Land Trust (MLT); Bruce Mandel concerns on land exchange; response to Mandel questions
- VIII. 4a. Memorandum of Understanding with MLT
- VIII. 4b. Quitclaim deed to Town from MLT for 3 Chicago St, 5 Chicago St; Lot 898, Macy Rd; survey plans for each parcel
- VIII. 4c. Deed from MLT to Town for 3 Baltimore St; survey plan
- IX. 1. Lincoln Ave taking plan
- IX. 2a. Order of Taking of portions of Nancy Ann Ln & taking plan; Order of Taking of portions of Mayflower Circle & Daffodil Ln & taking plan
- IX. 2b. Order of Taking for portions of Unnamed Way off Miller Lane; taking plan
- IX. 3. Order of Taking of sewer easements on Chatham Road; sewer easement taking plan
- X. 2. Town Government Study Committee town meeting handout; forms of government overview
- X. 3. List of spring roadwork with map

March 27, 2019

To the Select Board,

I am here to express my concerns about the redesign of sidewalks around the Pacific Club and also on upper Main St.

For months, no, for years, we have been awaiting sidewalk repairs, all over town. What we got next to the Pacific Club, a nationally important historic structure, was not a repair. It was a complete a gut-rehab. It removed historic curbs and all but obliterated the street lines of the original downtown. Before the change it was possible to visualize the original street layout prior to the Great Fire of 1846, of which ours was one of only two buildings to survive.

We ought to have been notified. We are trying to find out if any attempt was made to notify us of what are really major changes. But it is inconceivable that with a year-round business as our first-floor tenant that advance communication could not have taken place. It has created new problems for conserving the building. The new walk buried at least one course of formerly exposed foundation brick and parts of two air vents. What's one layer? Due to sandblasting in the 1960's the formerly exposed bricks at ground level were rendered more porous, and crumble more easily. The additional moisture of being below grade is harmful to the brick. We are meeting with preservation consultants to figure out what we need to do to protect the building and will certainly meet to work with Mr. O'Neill when we have a plan.

But over the last 25 years we have spent thousands of dollars to appropriately conserve elements of the foundation, walls, roof, interior, and exterior. It is sickening to have lost the opportunity, while the sidewalk was up, to inspect foundation work last done in the early 1990's.

And we have recently learned that a sort of pedestrian plaza is planned as bump-out into Main Street on our west side. It has been billed as a place for visitors coming off the boat to 'orient' themselves. The safety issue is not a lack of sidewalk. From our day-in day-out observations, people are not lost. It is that unless physically prevented from doing so, pedestrians deliberately cut across into traffic. They resist using the crosswalk to their right, where cars from South Water and Still Dock Streets naturally stop before entering Main Street. What is needed is not a bump but a waist high barrier to keep people on the sidewalk. A bump would increase vehicular congestion and only make it more, not less, unsafe for all concerned. And it would even further destroy any sense of the original town. If people ever got off the phone long enough to actually look around, they ought to be able to orient themselves in time as well as space. Which brings me to my next point.

Where there are preexisting structures, sidewalk widening is also inevitably a street-narrowing program. We live in what is still a mostly wooden town. Since the summer of 1846 we have been largely spared from truly major fires. We would do well to remember the lessons of the Great Fire: density intensifies vulnerability. Cast your mind over summer traffic today. The sidewalk bump-out into Main Street would occupy space which is needed in the most vehicularly congested part of the island. It may look good on paper, but should be reevaluated for real-world emergencies. We shouldn't rely on complacency. We must anticipate what we would need to do downtown if things were to go horribly wrong at the worst possible time.

Similarly, on the corner of Main and Pine streets the sidewalk is angled so that a vehicle can make a right hand turn from Main onto Pine. With a wider sidewalk will an emergency vehicle coming down Main still be able to make the turn?

Up to now, competing interests have jostled myopically while desperately needed repairs languished. We all want safety. We also need sensitive preservation of buildings and trees. Good planning from a comprehensive point of view can accommodate both, but a cookie cutter reliance on standards created for mainland spaces won't get either. Please look at the bigger picture, the whole picture, and think through all the aspects your decisions before moving ahead.

Sincerely,

Virginia F. Andrews, shareholder and Pacific Club V.P.



MOTION FOR SELECT BOARD MEETING  
March 27, 2019

MOVED: That we approve and vote to execute the following Orders of Taking upon receipt by the Select Board from Richmond Great Point Development, LLC of (1)the executed Regulatory Agreements for Sandpiper Place I, Sandpiper Place II and the Meadows II for filing with the Department of Housing and Community Development (DHCD), (2) discharges or releases for financial encumbrances on the title of the properties to be taken as described in the Orders of Taking below; and (3) DHCD's approval of the Town's application for the Local Action Units pursuant to the Local Initiative Program for the Meadows II Workforce Rental Apartment Project; whereupon the Orders of Taking shall be executed and take effect as of that date :

1. Order of Taking by Eminent Domain of Portions of Mayflower Circle and Daffodil Lane, shown on the plan described therein, for affordable housing purposes and for purposes of conveyance;
2. Order of Taking by Eminent Domain of Portions of Nancy Ann Lane, shown on the plan described therein, for public access and public safety purposes and for purposes of conveyance;
3. Order of Taking by Eminent Domain of Portions of Unnamed Way off Miller Lane, shown on the plan described therein, for public ways, open space and for general municipal purposes;

And award the amount of \$1.00 to each property owner for said takings, and authorize Town Counsel or the Town Manager to file the Orders of Taking with the Nantucket Registry District of the Land Court within thirty (30) days of the effective date of the Orders.